

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF OHIO**

STATE OF OHIO, *et al.*,

Plaintiffs,

v.

XAVIER BECERRA, *et al.*,

Defendants.

Case No. 1:21-cv-675

Judge Timothy S. Black

JOINT MOTION TO STAY PROCEEDINGS

The parties jointly request that this Court stay further proceedings in this matter pending final resolution of Plaintiffs' appeal from the Court's order denying Plaintiffs' motion for a preliminary injunction. *See Order on PI Mot.*, R.50.

On December 29, 2021, the Court denied Plaintiffs' motion for a preliminary injunction. *Order on PI Mot.*, R.50, PageID#680. Plaintiffs appealed the Court's order on December 30, 2021. *See Notice of Appeal*, R.51. Plaintiffs also filed a motion for an injunction pending appeal, which has been fully briefed, and requested a ruling by January 31, 2022. Defendants are currently obligated to respond to Plaintiffs' complaint in this Court on or before January 26, 2022. *Order*, R.49.

The parties respectfully request that the Court stay district-court proceedings pending the final resolution of Plaintiffs' appeal. This will promote judicial economy and preserve the parties' resources. *See Ostendorf v. Grange Indem. Ins. Co.*, No. 2:19-CV-1147, 2020 WL 729887 (S.D. Ohio Feb. 13, 2020). Plaintiffs' appeal implicates the same legal issues that the parties and the Court will address in future proceedings, including the interpretation of 42 U.S.C. §300a-6. An appellate decision will thus likely provide the Court and the parties significant aid in the ultimate resolution of this case. Furthermore, the parties' proposed stay is of a limited and definite duration that will not cause undue delay in the resolution of this case. To that end, Defendants have agreed to

produce the Administrative Record by February 18, 2022, which will expedite proceedings in this Court following the resolution of the Plaintiffs' appeal.

Accordingly, the parties respectfully request that the Court stay further district court proceedings in this matter until the parties have exhausted appellate proceedings. The parties further propose to file a joint status report with the Court within thirty days after appellate proceedings are exhausted, in which they will propose a schedule for future proceedings in this Court.

DATED: January 25, 2022

Respectfully submitted,

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CERTIFICATE OF SERVICE

On January 25, 2022, I electronically submitted the foregoing document with the Clerk of Court for the U.S. District Court, Southern District of Ohio, using the Court's electronic case filing system. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

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